

2fw

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/718,764	
	Filing Date	11/21/2003	
	First Named Inventor	WAGENER	
	Art Unit	1713	
	Examiner Name		
Total Number of Pages in This Submission	89	Attorney Docket Number	5853-340

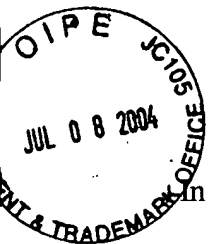
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Please acknowledge receipt of the paper(s) noted herein by returning the attached postcard receipt.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	No fees are believed necessary, but please charge any deficiencies to Deposit Account No. 50-0951.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	AKERMAN SENTERFITT Gregory A. Nelson, Registration No. 30,577
Signature	
Date	7-6-04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 7-6-04	
Typed or printed	Gregory A. Nelson
Signature	
Date	7-6-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wagener et al.

Application No.: 10/718,764

Examiner:

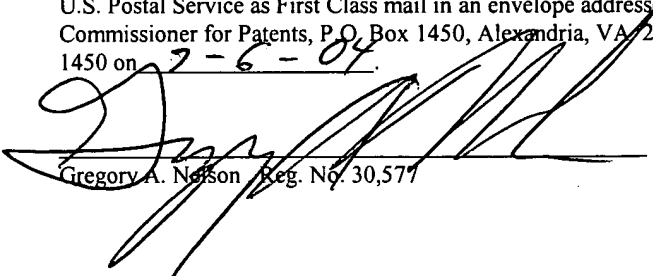
Date Filed: November 21, 2003

Group: 1713

For: ELASTOMERIC POLYMERS

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 7-6-04.


Gregory A. Nelson Reg. No. 30,577

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the document which is listed on the attached Form PTO-SB8A and which the Examiner may deem relevant to patentability of the claims of the above-identified application. The enclosed document was cited in a search report (copy attached) issued in the corresponding PCT application to the present invention, namely, Application no. PCT/US03/37327. Accordingly, no fee is due.

The submission of the listed document is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any

{WP184578;1}

listed documents as competent references against the claims of the present application.

Applicant respectfully requests that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-SB8A be returned in accordance with MPEP §609.

This Information Disclosure Statement is being filed before the issuance of a first office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is believed to be due. However, if any fee is due, the Commissioner is authorized to charge any such fee and any additional fees due or credit any overpayment to Deposit Account No. 50-0951.

Date: 7-~~8~~-04

Respectfully submitted,



Gregory A. Nelson, Registration No. 30,577
AKERMAN SENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 5853-340

